

## **MINUTES OF A MEETING OF THE LEMON GROVE CITY COUNCIL**

February 6, 2018

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency.

### **Call to Order**

City Councilmembers present: Mayor Racquel Vasquez, Mayor Pro Tem Jerry Jones, Councilmember Jennifer Mendoza, Councilmember Matt Mendoza, and Councilmember David Arambula. City Councilmembers absent: None.

### **Pledge of Allegiance**

The Pledge of Allegiance was led by Mike James, Assistant City Manager / Public Works Director.

### **Presentations:**

#### **Lemon Grove History Minute #12, 40-Year Home Grown Business Recognition, Honoring Lemon Grove Veterinary Hospital, established in 1954**

Mayor Vasquez presented a Certificate of Recognition to Dr. Anil Bettgowda, DVM PhD and his staff for continuing animal services to the community.

#### **Mayor Vasquez introduced Miss Pre-Teen Lemon Grove, Ashley Austin.**

**Smart Meters** – Kevin Miller, Director of Operations, Helix Water District, discussed:

- Water District service area is 50 square miles with ½ million customers, is a water wholesaler, and serves Lemon Grove, El Cajon, La Mesa and unincorporated County area.
- He summarized the metering infrastructure, saying the District has a 15-year meter replacement program and meters have 98.5% accuracy.
- Mr. Miller explained the District's research and evaluation of SMART meters and related software, including pilot programs of 500 AMR meters in 2005 and cellular AMIs in 2010. Following determination of benefits of monthly billings and ability to monitor usage, along with increased costs, the District conducted a customer survey, reflecting 71% of customers opposed the SMART meters due to the increased cost of \$5-10 monthly. Therefore the District decided to retain the AMI meters at District facilities and continue to evaluate and survey customers in conjunction with technology advances.

Councilmember J. Mendoza said she would like cellular AMI meters to be able to monitor usage, and it would be helpful with rental property.

Mr. Miller responded to questions from Councilmembers regarding accuracy tests, seasonal usage differences, requests for meter replacement, pilot program, providing customers with the option of SMART meters, pay-back of installation, and battery life.

## Public Comments

Brenda Hammond, Lemon Grove, commented that it seems more predators are picking on the homeless and more people are joining her for physical therapy, said she is not racist, and expressed thanks for functions in Lemon Grove.

Tommy Deibler, President Lemon Grove Little League, thanked the City staff for assistance with a landslide problem, discussed a Memorandum of Understanding with the Little League, City and School District for field use, and extended an invitation to opening day festivities at 10:00 a.m. on March 3, followed by baseball games on nearly every field.

John L. Wood, Lemon Grove, asked for something be done to slow traffic down on Central Avenue; and he pointed out Federal is posted for no oversize overnight parking from 2:00 a.m. to 6:00 a.m., but semi-trailer trucks are parking too near the intersection.

Sergio Padilla, Lemon Grove, objected to Service Line Warranties of America being the exclusive provider of such warranties for the City.

Lisa Kennedy, Lemon Grove, stated she has lived on Main Street for five years and she appreciates the new planters but conveyed street lights are needed. She said illegal activities, i.e. prostitution, drugs, human trafficking, occur in front of City Hall/Sheriff Station. She attended the meeting this evening due to the item on the Community Garden; and she commented on presentation by Helix Water District, saying water quality should be improved.

### 1. Consent Calendar

#### A. Approval of City Council Meeting Minutes

January 16, 2018 Regular Meeting

#### B. Ratification of Payment of Demands

#### C. Waive Full Text Reading of All Ordinances on the Agenda

#### D. Review and Approval of TransNet Funds Transfer

Item moved to end of agenda due to speaker.

#### E. Adopt Resolution No. 2018-293 of the District Board of the Lemon Grove Sanitation District Approving an Agreement with Rick Engineering Company to provide consulting engineering services for the 2017-2018 Sewer CIP Project in the amount of \$102,212.

**Action:** Motion by Mayor Pro Tem Jones, seconded by Councilmember Arambula to approve Consent Calendar Items 1 A, B, C and E as presented; item 1 D was moved to the end of the agenda. The motion passed by the following vote:

**Ayes:** Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Noes:** None

### 2. Community Garden

Mike James, Assistant City Manager/Public Works Director, summarized the staff report for a volunteer Community Garden to be located on City-owned property at 7733 Central Avenue, the Northeast corner of Central Avenue and Olive Street as proposed by Lemon Grove Community Garden Group. Mr. James provided background, proposal highlights including funding, reviewed staff analysis with points of a potential lease agreement, and options for City Council action.

Members of the Community Garden Group introduced themselves. Walt Oliwa, Chair, communicated the project description and diagram, goals, start-up and implementation,

operation and rules. Ms. Katie Nager, San Diego State graduate student, voiced her pleasure with the proposal and offered her support in the continuing success of the Community Garden. A member of Lemon Grove Heal Zone, Thrive, and the Community Garden Group expressed support and collaboration for the Community Garden.

Mayor Vasquez and Councilmembers conveyed appreciation to the Lemon Grove Community Group, Sage Project with San Diego State University, Thrive Lemon Grove and Lemon Grove CHIP/Heal Zone and staff. Councilmembers discussed fencing, composting, recyclables, education including canning and cooking, lease term, portability of structures, lighting, zero-cost lease, liability insurance, safety and avoiding power tools, year-round growing season, flowers on outside, no website yet, engaging residents in immediate area, watering and meter. Mr. Oliwa responded to questions and mentioned welcome hours, watering, tool shed, rules, membership and start-up costs. City Attorney James Lough answered questions about the lease and public benefit. Mike James, Assistant City Manager/Public Works Director summarized the direction to staff. City Manager Lydia Romero addressed grant possibilities.

**Action: By consensus, the City Council directed staff to negotiate a specific use, zero-cost land lease agreement for a term of two years with Lemon Grove Community Garden Group and return to the City Council for approval as soon as possible.**

### **3. Animal Control Contract and Service Provisions Overview**

Miranda Evans, Management Analyst, introduced Amanda Mills, Animal Care Administrator, and Officer James Valles. Ms. Evans gave a brief history of animal care services in the City of Lemon Grove with a current total budget of \$210,658, which equates to \$8 per taxpayer. Ms. Mills reviewed the current contract with the City of Chula Vista for animal care and animal control needs, provided statistics, discussed customer service, outreach and education. Officer Valles described the process upon receipt of calls and tracking information. Ms. Mills talked about coordination with the local Sheriff Department, and Officer Valles responded to questions regarding bites and diseases.

Councilmember J. Mendoza commented about communication breakdowns and voice mails not being saved. Councilmember Arambula verified the cost to the City for animal control services is over \$16,000 a month with percentage breakdown of costs, number of calls and priority level for feral cats. Mayor Pro Tem Jones discussed ownership differences between cats and dogs and law for tracking animals. Since there is confusion about who to call for service, Jones suggested the answering machine be revised relative to Lemon Grove residents.

#### **Public Speakers:**

Josh Hirschmiller, East County Animal Rescue Group, shared two experiences dealing with stray dogs and cats. He stated residents walk with a baseball bat for safety; and if a dog is hurt, it is a three-hour process to get assistance after hours.

Ralph Soto, Lemon Grove, indicated that Chula Vista has provided poor service, and he suggested changing the contract to El Cajon or another agency. Based on his experience and comments on Yelp, he said calls are not returned.

Amber Millen, Lemon Grove, said she has been a resident of East County for 35 years, and she commented she has had poor customer service, noting she has seen 30 cats roam free, and the Chula Vista shelter is inconvenient.

Councilmember J. Mendoza related an unfortunate experience with Chula Vista Animal Control when her dog was attacked. Her phone calls were not returned, and she finally received an email that Chula Vista would contact the dog owner. She did not know for eight days if the attacking dog had a rabies vaccine. Member J. Mendoza questioned how many calls are never returned. She said residents have to walk with baseball bats because there are so many dogs at large, and citations should be issued in accordance with the ascending fines. She commented on the low amount of dog license revenue, saying the City needs to be more aggressive licensing dogs and following up on fines. Although the shelter is satisfactory, the City needs to look at other options for animal control services. City Manager Lydia Romero replied that this is a two prong approach, with this report on current services followed by research on what other cities are doing. Mayor Pro Tem Jones indicated the City switched from County services to Chula Vista, and Animal Control Officers may have some Peace Officer rights. So the problem always comes down to personnel issues. He said he understands the difficulty in issuing citations for dogs at large. He shared insight from El Cajon and La Mesa, and said animal control services must be based on Council priority due to costs of staffing. Mayor Vasquez asked about temporary solutions and adding animal control to the future Council priority and goal-setting session.

**Action: By consensus, the City Council directed staff to meet with Chula Vista Animal Control personnel to establish performance and priority standards for the immediate future and to continue to evaluate alternatives for Animal Control Services.**

**1. D. Review and Approval of TransNet Funds Transfer**

Mike James, Assistant City Manager/Public Works Director, said City Council action is required to approve a previous transfer that took place in August 2017.

Angeles Nelson, Lemon Grove, commented on transparency of the formal approval process, noting there are six projects totaling \$742,000, including the transfer on the agenda, and past sewer rates increases. Staff provided clarification.

**Action: A motion was made by Mayor Pro Tem Jones and seconded by Councilmember J. Mendoza to approve and accept the TransNet funds transfer made in August 2017 totaling \$30,099 from LG 15 – Storm Drain Maintenance (PM) Account Number 14-00-00-7290 to support LG 17 – Street Improvement (PM) Account Number 14-00-00-7151; City Council having previously approved the named projects. The motion passed by the following vote:**  
**Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza**  
**Noes: None**

**City Council Oral Comments and Reports on Meetings Attended at the Expense of the City. (GC 53232.3 (d))**

**Councilmember J. Mendoza** prepared a two-page report on meetings attended.

- On January 18, 2018, League of California Cities meeting and Transportation, Communications & Public Works Policy Committee meeting in Sacramento.

Discussed was the Governor's budget and monies from the recent gas tax increase will not be received by the City until April with emphasis to promote uses of funds.

- On January 19<sup>th</sup>, SANDAG (San Diego Association of Governments) Transportation Committee meeting and received an update on the mid-coast corridor, the 11-mile extension of the blue line from Old Town to University of California San Diego, with completion planned for 2022. Also reviewed was the specialized transportation grant program and Consolidated Transportation Services Agency which coordinates social services transportation, and noted George Gastil is on the FACT (Facilitating Access to Coordinated Transportation) Board.
- January 25<sup>th</sup>, SANDAG Energy Working Group with presentations by the City of Encinitas on their Climate Action Plan, and legislation to protect consumers of solar energy
- February 2<sup>nd</sup>, SANDAG Transportation Committee meeting regarding San Diego Forward 2019-2050 Regional Plan with draft performance matrix and community input. A presentation was also given on emerging technologies and connected vehicles and connected cities. Noted Councilmember Arambula also attends as a representative of Metropolitan Transportation System (MTS)
- On January 22<sup>nd</sup>, Heal Zone meeting with Kaiser and community representatives and covered plans for the following and final year of funding and discussed possibilities of sustaining some of the programs thereafter.

**Councilmember Arambula** attended:

- MTS Executive meeting, setting the agenda
- SANDAG Transportation Committee meeting; recognized David DeVries and staff for suggestions regarding accessibility and comparison measures
- 3-day Transit Center Training in Rhode Island and learned about best practices and humility as a Board member in asking staff tough and pertinent questions

**Mayor Vasquez** attended:

- PTA Founders Day at Lemon Grove Library, honoring school volunteers that coach/mentor/guide our future leaders.
- 13<sup>th</sup> Annual Young Men's Leadership Conference at Mount Miguel High School
- SANDAG Board of Directors meeting
  - Audit committee
  - Public member screening
  - Intergenerational Tribal Transportation Strategy
  - Fiscal Year 2018 Program Budget Adjustments
  - CalTrans Planning Grant
  - Recruitment of new Executive Director and provided input on selection
- Meals on Wheels South County Volunteer Appreciation Luncheon
- Presentation to St. John's Church in recognition of National Catholic Schools Week
- Women of Color Breakfast with recognition of herself and others in the region and inspiring young women to participate in leadership roles

**Department Director Reports (Non-Action Items)**

David De Vries, Development Services Director, announced the Park Beautification & Clean-Up Event at 10:00 a.m. on February 24<sup>th</sup>, kicking off at Monterey Heights Park. Miranda Evans, Management Analyst, commented staff will take the next step regarding the animal control dialogue.

City Manager Lydia Romero reported on attending the City Manager conference Wednesday through Friday with topics on the pension crisis, avoiding having department heads fire you, and lessons learned about citizen initiatives on medical marijuana.

**Closed Session**

James Lough, City Attorney, indicated there are two attorneys in audience relative to the two closed session items.

**Conference with Legal Counsel - Existing Litigation pursuant to paragraph (1) of subdivision (d) of Section 54956.9**

**Name of case: 17CV LAB MDD Case Bush V Jones; Romero**

**Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9**

**One case**

**Action:** By consensus, the City Council recessed to closed session for the items above.

**Closed Session Report:** There was no reportable action.

**Adjournment at 11:25 p.m.**